

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MISCELLANEOUS No.: 14-MC-35 MCA

IN RE: \$183,070.00 IN UNITED STATES CURRENCY

**UNITED STATES' RESPONSE TO ORDER TO SHOW CAUSE AND
RULE 41(a)(2) MOTION FOR DISMISSAL WITHOUT PREJUDICE**

Pursuant to 18 U.S.C. § 983(a)(3)(A), the United States and Claimant Vito Didonato jointly filed motions to extend the time in which the United States is required to file a complaint against the above property and/or to obtain an indictment that the above property is subject to forfeiture. This Court ordered extensions for the United States to file a complaint for forfeiture and/or obtain an indictment alleging that the property is subject to forfeiture to October 10, 2014, November 10, 2014, January 9, 2015, and lastly to March 10, 2015.

The parties have resolved this case. Therefore, there is no further need for this matter to remain pending on the docket.

WHEREFORE the United States respectfully requests that the Court enter an order dismissing without prejudice this action, pursuant to Fed.R.Civ.P. 41(a)(2).

Respectfully submitted,

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Acting United States Attorney

Electronically filed May 18, 2017
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected in the Notice of Electronic Filing;

_____/s/
STEPHEN R. KOTZ
Assistant U.S. Attorney